United States District Court

for the

Eastern District of California

United States of America)		
v.) Case No. 2:22-mj-00079-DB		
JOSE CURIEL) Case No. 2.22-mj-000/9-DB		
Defendant)		
ORDER OF DETENTION PENDING TRIAL			
Part I - Eligibility for Detention			
Upon the			
	n motion pursuant to 18 U.S.C. § 3142(f)(2), in is warranted. This order sets forth the Court's findings of fact		
Part II - Findings of Fact and La	w as to Presumptions under § 3142(e)		
presumption that no condition or combination of contand the community because the following conditions (1) the defendant is charged with one of the f (a) a crime of violence, a violation of 18 § 2332b(g)(5)(B) for which a maximum (b) an offense for which the maximum second of the f (c) an offense for which a maximum ter Controlled Substances Act (21 U.S.C. § (21 U.S.C. §§ 951-971), or Chapter 705 (d) any felony if such person has been certain and the controlled substances and controlled substances of the controlled substances are controlled substances of the controlled substances are controlled substances are controlled substances are controlled substances of the controlled substances are controlled substances.	following crimes described in 18 U.S.C. § 3142(f)(1): 8 U.S.C. § 1591, or an offense listed in 18 U.S.C. 1 term of imprisonment of 10 years or more is prescribed; or 1 sentence is life imprisonment or death; or 1 m of imprisonment of 10 years or more is prescribed in the 1 § 801-904), the Controlled Substances Import and Export Act 2 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508); or 2 onvicted of two or more offenses described in subparagraphs 2 or more State or local offenses that would have been offenses 3 (c) of this paragraph if a circumstance giving rise to Federal		
	me of violence but involves: a firearm or destructive device (as defined in 18 U.S.C. § 921); a failure to register under 18 U.S.C. § 2250; <i>and</i>		
	ted of a Federal offense that is described in 18 U.S.C.		
	at would have been such an offense if a circumstance giving rise		

(3) the offense described in paragraph (2) above for which the defendant has been convicted was committed while the defendant was on release pending trial for a Federal, State, or local offense; *and* (4) a period of not more than five years has elapsed since the date of conviction, or the release of the defendant from imprisonment, for the offense described in paragraph (2) above, whichever is later.

rebutt defen	ebuttable Presumption Arises Under 18 U.S.C. § 3142(e)(3) (narcotics, firearm, other offenses): There is a able presumption that no condition or combination of conditions will reasonably assure the appearance of the dant as required and the safety of the community because there is probable cause to believe that the defendant attended one or more of the following offenses:
	(1) an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508);
	(2) an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b; (3) an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed;
	(4) an offense under Chapter 77 of Title 18, U.S.C. (18 U.S.C. §§ 1581-1597) for which a maximum term of imprisonment of 20 years or more is prescribed; or
	(5) an offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.
XC. Co	onclusions Regarding Applicability of Any Presumption Established Above
X	The defendant has not introduced sufficient evidence to rebut the presumption above, and detention is ordered on that basis. (Part III need not be completed.)
	OR
	The defendant has presented evidence sufficient to rebut the presumption, but after considering the presumption and the other factors discussed below, detention is warranted.
	Part III - Analysis and Statement of the Reasons for Detention
	Part III - Analysis and Statement of the Reasons for Detention considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing, oncludes that the defendant must be detained pending trial because the Government has proven:
the Court co	considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing,
By clothe sa	considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing, oncludes that the defendant must be detained pending trial because the Government has proven: ear and convincing evidence that no condition or combination of conditions of release will reasonably assure
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Si	ignificant family or other ties outside the United States
L	ack of legal status in the United States
Si	ubject to removal or deportation after serving any period of incarceration
Pı	rior failure to appear in court as ordered
Pı	rior attempt(s) to evade law enforcement
U	Use of alias(es) or false documents
В	ackground information unknown or unverified
Pı	rior violations of probation, parole, or supervised release

OTHER REASONS OR FURTHER EXPLANATION:

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Part IV - Directions Regarding Detention

The defendant is remanded to the custody of the Attorney General or to the Attorney General's designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant must be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: _	May 26, 2022	Verenz Blesson
		Jeremy D. Peterson, United States Magistrate Judge